



Missouri Department of Natural Resources

MINUTES

MISSOURI SOIL AND WATER DISTRICTS COMMISSION

DNR CONFERENCE CENTER

JEFFERSON CITY, MISSOURI

February 15, 2006

COMMISSION MEMBERS PRESENT: Kathryn Braden, Elizabeth Brown, Richard Fordyce, Leon Kreisler, Baughn Merideth

EX-OFFICIO MEMBERS: DEAN THOMAS PAYNE, UNIV. OF MISSOURI: David Baker; JOHN HOSKINS, DEPT. OF CONSERVATION: Brad McCord; FRED FERRELL, DEPT. OF AGRICULTURE: Dan Engemann; DOYLE CHILDERS, DEPT OF NATURAL RESOURCES: Mike Wells

ADVISORY MEMBERS PRESENT: SOIL & WATER CONSERVATION PROGRAM: Sarah Fast; NRCS: Roger Hansen; MASWCD: Steve Oetting

STAFF MEMBERS PRESENT: Davin Althoff, Gary Baclesse, Milt Barr, Jim Boschert, Allan Clarke, Chris Evans, Noland Farmer, Tricia Jackson, Gina Luebbering, Joyce Luebbering, Dean Martin, Theresa Mueller, Marcy Oerly, James Plassmeyer, Josh Poynor, Kevin Scherr, Judy Stinson, Ken Struempf, Cody Tebbenkamp, Lindsay Tempinson, Chris Wieberg, Bill Wilson

OTHERS PRESENT: DISTRICTS: CAPE GIRARDEU: Steve Murray, Gerald Bryan; CHARITON: Bob Cooper, Wayne Crook, Carrie Henry; JACKSON: Linda Struwe; JEFFERSON: George Englebach; STONE: Don Chastain, Elmer Curbow, George Cutbirth, Jerry Dodd, Fern Langston, Traci Langston, Steve White; **STATE OF MISSOURI:** ATTORNEY GENERAL'S OFFICE: Tim Duggan; DEPARTMENT OF NATURAL RESOURCES: Richard Moore; **OTHERS:** MASWCD: Fred Feldmann, Peggy Lemons; UNIVERSITY OF MISSOURI: Beverly Coberly; USDA-NRCS: Dick Purcell, Will Rhodes, Mark Green, Bob Howell

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 2

A. CALL TO ORDER

Chairman Elizabeth Brown called the meeting to order at the DNR Conference Center in Jefferson City, Missouri, in the Bennett Spring/Roaring River Room at 8:04 a.m.

B. MINUTES OF THE LAST MEETING

Richard Fordyce made a motion to approve the minutes of the January 18, 2006, commission meeting as mailed. Kathryn Braden seconded the motion. When asked by the chair, Kathryn Braden, Richard Fordyce, Leon Kreisler, Baughn Merideth, and Elizabeth Brown voted in favor of the motion and the motion carried unanimously.

MINUTES OF THE CLOSED SESSION

Kathryn Braden made a motion to approve the minutes of the closed January 18, 2006, commission meeting as mailed. Leon Kreisler seconded the motion. When asked by the chair, Kathryn Braden, Richard Fordyce, Leon Kreisler, Baughn Merideth, and Elizabeth Brown voted in favor of the motion and the motion carried unanimously.

C. CLOSED SESSION

Kathryn Braden made a motion to go into closed session pursuant to Section 610.021, RSMo 2000 (as amended), to discuss legal, confidential, or privileged matters under §610.021(1), RSMo; personnel actions under §610.021(3), RSMo; personnel records or applications under §610.021(13), RSMo; audit issues under §610.021(17), RSMo; or records which are otherwise protected from disclosure by law under §610.021(14). Baughn Merideth seconded the motion. When asked by the chair, Kathryn Braden, Richard Fordyce, Leon Kreisler, Baughn Merideth, and Elizabeth Brown voted in favor of the motion and the motion carried unanimously.

D. PLANNING

1. Commission Directed Analysis of District Employee Salaries and Possible Budget Expansion

Jim Boschert presented a report to the commission on the proposed analysis of district employee compensation for possible future budget expansion. Mr. Boschert stated that on February 6, 2006, staff met with Dr. Rikoon to discuss updating the information regarding salary compensation and benefits provided by the district boards. Included in this proposal, they also discussed surveying other agencies and states regarding compensation for like positions. Dr. Rikoon stated that he would be able to do the survey requested, but he thought it would be the middle of the fall of 2006 before he could have the information compiled and

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 3

reports back to the commission. Mr. Boschert said that Dr. Rikoon estimated the cost of the project would be approximately \$10,000.

When asked if another research project was needed on this, Mr. Boschert answered that this proposal would update the information on what the districts were offering and also to see how the compensation plans in other states and federal and state agencies compare to Missouri.

When asked if the information would be completed before the next year's budget process, Mr. Boschert answered that Dr. Rikoon would have the information by mid fall and staff could let the Department of Natural Resources (DNR) management know that the commission was looking at a possible budget expansion. Elizabeth Brown stated that she thought that the commission was not going to make any decision on this until after a decision had been made on the sales tax. When asked what fiscal year it would be for, Ms. Fast answered it would be Fiscal Year (FY) 2008. When asked what the association thoughts were on this, Steve Oetting stated that the association has a resolution that suggested that they talk to the commissioners on a percent increase every year based on tax increases. They would like to have a long-term approach where additional funding would be available for salaries. It was asked again if a research project was needed. Ms. Fast answered that the purpose of the research project would be to validate how the compensation plans for the districts compare with compensation for comparable positions.

Richard Fordyce made a motion to contract with Dr. Rikoon to do employee salary research for \$10,000. Baughn Merideth seconded the motion. When asked by the chair, Kathryn Braden, Richard Fordyce, Leon Kreisler, Baughn Merideth, and Elizabeth Brown voted in favor of the motion and the motion carried unanimously.

When asked if it was too late to get a cost of living increase in the budget for next year, Ms. Fast answered that to do that the association would have to talk directly to legislators.

2. Soil Survey Update

Dean Martin and Wyn Kelley presented an update on soil science, some background, and some projects in which the section is involved. Mr. Martin stated that the initial inventory was completed in December of 2001. Since that time they have been evaluating that information and preparing for the next step.

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 4

He stated that the Missouri cooperative soil survey is a partnership with Natural Resources Conservation Service (NRCS), DNR, Department of Conservation, Department of Agriculture, and others. The partnership's mission is, "To continue the development of science-based soil system information, customized to meet user needs for natural resource management".

Mr. Martin stated that soil science is a field activity, but they are doing more technical work with GIS and other tools. The commission's Plan for the Future states two main goals: soil conservation to prevent and reduce soil erosion, and water conservation to maintain and improve water quality. The implementation process included effective and efficient districts, education, and outreach, sound science, understanding changes in land use, fiscal accountability and information management, and organizational capacity building.

He stated that in Phase I of the soil survey update they did a very extensive review of the information received from the initial soil survey. This included spatial analysis, laboratory analysis, discussions with districts and soil scientists involved in the collecting of the information, and verification of the data. In Phase II all the information obtained from Phase I is used to develop projects to address deficiencies and customer needs in regard to soil science. In this phase, they will maintain/update spatial and attribute data by conducting data collection activities to upgrade the entire state database to a common standard. The soil science plan under which DNR soil scientists are working, specifies that 50 percent of the soil scientists' time is spent updating work based on major land resource areas (MLRAs) and 50 percent is spent assisting districts, landowners, and other agencies with the data, information, and interpretation for soil science.

Mr. Martin updated the commission on the staffing plan that included three Unit Chiefs (Soil Scientist IVs), and 17 other Soil Scientist I-II-IIIs, for a total of 20 full time employees (FTEs) which is down from the 30 FTEs in 1994. He stated that there are three in each office except for Springfield and Columbia, which house four FTEs each.

He stated that they now use the web to deliver and update data. They work closely with the University of Missouri, Center for Agricultural Resource and Environmental Systems (CARES), and NRCS to make it work. Soil information can be found on the internet at <http://soils.missouri.edu>. When asked if this was linked to the DNR web page, Sarah Fast stated that it had been in the past, but was not sure if it still was. (Subsequent checking showed a current web link from the Soil and Water Conservation web page to the CARES soils web page).

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 5

Wyn Kelley stated that soils are a baseline information for all the soil and water conservation work done. In the NRCS technical guide there are 104 practice standards requiring 58 different types of soil properties and interpretation information. He stated that soil survey is a model of the soils and the different landforms that they sit on. In the existing soil surveys many of the soil property interpretations are based on estimates. There is limited quantitative data to support the soil properties and interpretations in the report. Most of it was based on field observations and estimates done by soil scientists and relative research data that was used at the time. In Phase II of the soil survey more quantitative data will be collected. The Phase II projects are designed to target deficiencies noted in Phase I, answer questions regarding soil survey information by users, and to promote use of the soil survey information. Next he provided the commission with a list of Phase II projects. The two different classes are projects designed to address issues on single or limited number of MLRAs, and projects designed to address issues regionally or statewide. Mr. Kelley stated that one of the primary emphases, in the short term, was focusing on benchmark soils. Benchmark soils in the state are generally defined as those soils having at least 100,000 acres mapped of a particular soil type in the state. Of the 488 soil series mapped in Missouri, approximately 80 are benchmark soils. In Phase II upon completion of a project, the information will be used to refresh/maintain Missouri's soil database and spatial information. Updates from these projects will be made annually to the soils data. Some of the Phase II benefits will provide more accurate soil property and interpretive data, encourage and promote use of the soil survey data and information, and provide improved interpretive data to support programmatic issues.

Mr. Martin emphasized the update of the database is across the state for the projects. In the past they would complete a county then move to another county and then come back to the first county at a much later date, which would be considered an update. When asked about water tables, Mr. Martin answered that information on water tables was often estimated, but now they want to go back and look at that data, and try to gather some hard data to see when and how the water table changes in different soil areas. Sarah Fast stated that NRCS was a major partner in this, and has the lead responsibility. Roger Hansen stated they were proud of the partnership on the efforts in the state, foremost was the soil survey program, and the work and effort of those involved. He stated that approximately 2,000,000 acres a year are updated.

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 6

3. Fiscal Year (FY) 08/09 Commission Budget Planning Options

Milt Barr provided the commission with a review of the FY08 budget planning and an update to the alternative planning for FY09 without a soil sales tax renewal.

Mr. Barr proceeded to provide the commission with information on the FY08 budget. He indicated that the state budget instructions would not be out until about June, but it appeared that FY08 budget would likely have limited expansions or increases in order for the budget levels to continue to meet the Governor's target goals. The FY08 core budget for Soil and Water Conservation Program (SWCP) included the request for an expansion in district benefits assistance up to \$305,854 as approved by the commission. He stated that it would be another new decision expansion item, which would be tied to performance measures and justified similar to the FY07 increase, which was recommended and approved by the Governor. He also stated the FY08 budget would likely be very conservative. He stated that this budget projection included only what had already been reviewed and approved by the commission for District Benefits and did not include any increases for salaries in district grants. Sarah Fast stated that any increases would have to be added to FY08. Mr. Barr indicated that the budget deadline to the Governor was usually October 1 of each year and, if the research project determines an increase and the commission approved it before October 1, it could be added to the benefits request decision line. Mr. Barr went on to discuss that, if the tax passes, the current budget projection for FY08 would continue, as well as long range planning for the commission's Plan for the Future tax revenue period. If it fails, the commission could elect to pursue the draw down budget planning for program and district support starting in FY08 to the end of FY09 tax revenue and obligated projects through 2013.

He proceeded to cover the alternate draw down plan that the commission previously considered for the contingency of loss revenues due to non-renewal of the sales tax. Mr. Barr also indicated that all figures referenced were estimates for planning and would be updated as needed. The initial projected budget for FY09 draw down would be \$27,047,865. This amount was based on one half of the normal budget for the year for each program line since the soil sales tax revenues would be half of the normal total. The exception would be cost-share, which would actually have an increase of \$4,250,000 which is based on the traditional carryover from this program due to the allocation formulas and the previous re-appropriation authority. SALT outlays are shown for the actual projected needs, program operations were left at normal levels for the year, but would likely be less as transfers and attrition would be taking place. He stated that the program has planned budget obligations out to 2013 with multi-year SALT projects and

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 7

potential Loan Interest-Share Program claims. Mr. Barr stated that the summary of the fund balance projected at the end of FY09 was an estimated \$17,200,000 and an estimated interest income of \$581,000 for a total of \$17,700,000 available soils sales tax fund balance. If the sales tax was renewed, the FY09 planning budget would be similar to FY08 with the incremental increases and expansions. Further analysis will be done for the current program needs and resources available for the commission's Plan for the Future objectives.

E. REVIEW/EVALUATION

1. Land Assistance Section

a. Cost-Share

1. Monthly Cost-share Usage and Fund Status Report

Noland Farmer reported that districts have been allocated approximately \$24,000,000 for use in the present fiscal year.

It was projected that \$20,000,000 of the allocated funds would be claimed during fiscal year 2006. The projection was based on amounts claimed in previous years in relation to the total allocations made available to the districts.

As of January 31st, \$8,300,000 in claims had been processed, which was \$300,000 more than what was projected.

As of February 14, 2006, the program office had received \$8,900,000 in claims, which was more than the \$7,400,000 claimed for the same time last year. Mr. Farmer stated that by the end of February, staff should receive approximately \$9,500,000 in claims.

2. Use of the DSL-11 (Permanent Vegetative Cover on Critical Areas) to Remove Terraces

Gary Baclesse presented information on the DSL-11 practice. He informed the commission that in November staff reviewed a DSL-11 practice that was completed on a seven-acre site at a total cost of approximately \$10,700.

During the review, a question was raised regarding the DSL-11, which normally used to address gully erosion by grading and shaping the eroded gully area and then the area is seeded. Because

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 8

it is used to stop gully erosion, the practice normally serves three or less acres. It was noted that a two-acre gully was a large gully. During the initial discussion with the district, it was learned that the practice was used to remove over 10,000 linear feet of terraces that were in a grassed field.

He stated that staff was concerned about what the public might think should it be learned that cost-share was also being used to remove terraces from pasture or hayland, especially when terraces were normally thought of as an inconvenience when in pastures or hayland, and were not a contributing cause of erosion problems.

Mr. Baclesse stated that the terraces potentially causing erosion problems in the pasture were not new terraces under maintenance requirements nor terraces that had recently been under maintenance requirements. These terraces were approximately 30-40 years old or older and were constructed to channel the water off the edge of the field. As a result of the age of the terraces, silt has been deposited in the terrace channels as expected and now gullies were developing in the area adjacent to the field where water had been diverted. He stated that Ron Redden; Bob Ball, State Resource Conservationist; Ron Miller, State Conservation Agronomist; Leslie Michael Area Conservationist; and the district conservationist visited the site in question and other fields where the district was considering using the DSL-11 to remove terraces from pastureland. It was determined that some sites being considered for terrace removal were not appropriate to address associated soil erosion problems. It was also recognized that there might be other sites where the removal of terraces would be appropriate to solve the in-channel erosion problems. The understanding that came out of the visits was that, where active gully erosion in the terrace channel was a problem, it might be appropriate and cost-effective to use the terrace berm to fill the gully in the terrace channel. In situations where there was no active gully erosion in the field with the terraces but, instead the erosion was at the edge or adjacent to the field, an alternative practice would be identified to address the erosion problem rather than removing existing terraces.

Mr. Baclesse informed the commission that following the site visits Natural Resources Conservation Service (NRCS) sent out a

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 9

technical bulletin issued by Roger Hansen to address the situation. The bulletin provides the following technical guidance: Removal of terraces in pastures to correct gully erosion limited almost entirely to the outlets of terraces would be supported by a cost comparison. Removal of the terrace system must be supported by visible sheet, rill, and/or gully erosion within the pasture field that can be directly attributed to ineffective terraces. This activity illustrated the need for MDNR-SWCP staff, NRCS, and district staff to work with district supervisors on the appropriate use of state cost-share funds to help ensure assistance is provided to landowners in selecting the most cost effective treatment.

Mr. Baclesse stated he wanted the commission to be aware that in certain situations, it might be cost effective to use earth from the terrace berm for earth fill when shaping and grading a gully that exists in a terraced pasture or on hayland. He stated that this had been used in the past in a very limited way. Also, he was not aware of cost-share being used in this kind of a situation and did not know if the commission was aware of it either.

Roger Hansen stated that the situation arose and NRCS tried to take action to correct it. When asked how old the terraces had to be to be removed if feasible, Mr. Hansen answered that terraces would have to be past the maintenance agreement, but unless there was an erosion problem the terraces could stay as they were and the erosion problem dealt with at the site. He stated that there could be huge gullies at the end of some terraces that it might be cheaper to eliminate the terrace and keep the water from being channeled to that point. When asked if action was needed, Mr. Baclesse answered that this had been an informational report only. He stated that staff would identify and work with NRCS on this type of situation. When asked if there was a situation in a field where you would have older terraces and had an erosion problem at the outlet, would the entire terrace be destroyed, Mr. Hansen stated it would generally be cheaper to deal with the erosion at the outlet and that was the guidance sent out.

3. Review of Eligible Land Rule and Policy

Gary Baclesse presented an informational report on the requirements for land to be eligible for state cost-share practices.

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 10

Mr. Baclesse stated that he would briefly go over some of the problems the districts were experiencing regarding eligibility and what some of them were doing to be fair, yet provide assurance that the cost-share funds would actually be used to address erosion problems on agricultural land. He stated that at the end of the discussion, if the commission believed it worthwhile, staff would ask the boards what they felt was the extent of the problem, what suggestions the boards might have, and what the boards were doing themselves. Staff could proceed along those lines at the commission's direction.

He stated that the rule and the policy provided little guidance about the land on which cost-share practices are completed. Because of this some room is left for local board discretion in making decisions about who gets approved for cost-share. Providing for board flexibility based on a board's specific needs can be good however, with more people moving from urban areas out to the country, it was becoming increasingly difficult for boards to determine who was producing agricultural products and who was just living in the country.

The commission's rule in the definitions states, "Farm shall mean a tract of land three acres or more in size on to which agriculture activities are normally performed or a tract of land of any size from which \$1,000 or more of agriculture products are normally sold in a year."

Commission policy states, "In order to be eligible for cost-share, the land upon which the practice will be installed must be assessed as agricultural or land having an Farm Service Agency (FSA) farm number producing agricultural commodities." He stated that FSA does not require land to be assessed as agricultural to receive a farm number.

He stated that while the language for both the rule and policy address eligible land, it ends up being simply a mix or match situation to justify land as being eligible. Both the rule and the policy are fairly broad and general in nature. Because of this, practically all the land meets one or the other minimum eligibility requirement, and this can cause problems in areas where resource

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 11

needs exceed the available funding. A big problem for districts is increased demand for structures on small acreage or hobby farms.

Mr. Baclesse said the question boards are facing is whether or not the land is being used for agricultural productivity and whether cost-share should be limited. Because of this, some boards have developed and implemented their own policies that are more restrictive than the rule or policy. Policies that have been developed by district boards to address this situation included limiting cost-share to landowners who own more than 20 acres and requiring landowners to provide a copy of the previous year's IRS form F (Schedule of Farm Profit/Loss) to document \$1,000 in agricultural commodity sales. He stated that most districts are reluctant to make decisions based on farm size alone and are looking for other criteria to assist them.

According to Mr. Baclesse, FSA told Ron Redden last summer that they believed their staff was doing a good job in checking to make sure that landowners were actually producing agricultural commodities. FSA was asked to provide written criteria for a landowner to be provided a farm number, but he did not receive it. Mr. Redden was told by more than one in the state office, that FSA does not require the landowner to actually produce agricultural commodities to get a farm number but only that they have the capability to produce them. Neither does FSA have a minimum tract size requirement.

Mr. Baclesse stated the rule and policy were brief and the minimum requirements were relatively easy to meet. This leaves an opportunity for discretion of individual boards as to where the funds should be spent. For districts that have a lot of requests from small landowners for their limited available financial assistance, they sometimes feel that the current rule and policy does not insure that the funds would be used only on land that is in agricultural production. However, most districts are unsure as to what additional requirements they could or should adopt.

Mr. Baclesse asked whether or not the commission wanted staff to survey the board of supervisors on their concerns, the solutions currently being used, and to see what suggestions the boards might have. This information would then be compiled and brought to the

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 12

commission. Mr. Baclesse stated that staff could send out a survey to the districts. After receiving the information from the boards, the commission might want to form a committee to look into developing recommendations for the commission to consider.

Kathryn Braden stated that it might be helpful to have input from various districts on how they are handling the problem. Richard Fordyce stated that this needed some attention and the survey was a good idea. Elizabeth Brown felt that the commission definitely wanted more information.

F. FOLLOW-UP

1. Stone Soil and Water Conservation District (SWCD) – Audit Report

Jim Boschert presented a follow up from last month's commission meeting concerning the Stone SWCD audit. He stated he would discuss additional information related to the unreported bank account and expenses for performance pay and travel expenses for family members.

He said that before an auditor from McBride Lock and Associates start an audit of a district, they send a letter or email asking them to have items ready for them when they arrive. In the letter to the district, Stone SWCD was asked to provide bank statements, checkbook, cancelled checks, check register, and bank reconciliation's.

A letter from McBride Lock and Associates was presented to the Commission. The letter stated the chronology of events with the Stone SWCD audit.

Mr. Boschert discussed the performance pay increases for employees and the travel expenses paid for family members of the board of supervisors and staff. The audit reported that in fiscal year (FY)02 the district paid a total of \$2,299.96 to four employees for performance pay increases. The employees repaid \$580.52 of that amount. Also according to the audit, in FY03 the district paid a total of \$574.93 to three employees and none was repaid. In regard to the audit findings of payments for expenses related to spouses/relatives of supervisors and employees a total of \$344.73 was paid in FY02 and of this amount there was no documentation of any repayment. In FY03 the audit reported that a total of \$570.94 for these expenses were paid and of that amount it was requested that \$190.42 be repaid. In FY04 the audit reported that the district had \$396.35 worth of travel expenses for relatives of board members and employees. This amount was taken from the unreported bank account and there was no documentation that

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 13

this was repaid by the supervisors or the employees. In FY05 the audit reported that \$162.52 was paid for travel expenses for relatives of board members and employee expenses. These expenses were also paid from the separate bank account and there was no documentation that showed these were repaid.

The final item presented to the commission was the minutes from the June 10, 2003, Stone County SWCD meeting. Prior to the last round of audits, district coordinators went to each district and discussed the previous audit with the board. In the minutes it stated that Gorman Bennett discussed the findings from the last audit. It was noted that some of the findings were corrected before the audit and others have been corrected since the audit.

Mr. Boschert asked how did the commission wish to address the issues that were noted on the audit of the Stone County SWCD.

Elmer Curbow from the Stone County Board stated that he wished that they had been provided with a copy of the report prior to the meeting so that he could have provided documentation on each individual finding. He stated that they had corrected every one of the findings. He stated that in regard to performance pay, the operation manual does indicate that performance pay could be approved up to five percent. He indicated that the \$2,299.96 did exceed the five-percent by the \$580.52 and it was repaid. He stated he did not understand why this was on the findings again. He informed the commission that he could go back and find where the findings had been corrected.

Leon Kreisler stated that according to the information concerning the actions of the Stone County Soil and Water Conservation Program some corrective action needed to be taken to keep the integrity of the State Soil and Water Program. He further stated that based on the audit and in accordance with State Statute 278.80, he moved that the commission withholds all state funds from the district until the four elected members of the board and the district employees resign from the district. This would include withholding district assistance funds and SALT funds and also no new cost-share or SALT applications will be approved. We could honor the current cost-share or SALT approved applications but do not allow any new. Richard Fordyce seconded the motion. When polled, Kathryn Braden, Richard Fordyce, Leon Kreisler, Baughn Merideth, and Elizabeth Brown voted in favor of the motion and the motion carried unanimously.

Ms. Brown stated that the decision was not made lightly, they had reviewed this issue for two months and the commission had talked to the Stone County

Commissioners, University of Missouri Extension staff, and staff, but they felt that they did not have any other choice.

G. REVIEW/EVALUATION (Continued)

1. Land Assistance Section

a. Special Area Land Treatment (SALT)

1. Commission Direction on SALT Survey to Districts

Ken Struempf presented the commission with a review of a draft copy of the Special Area Land Treatment (SALT) survey for the districts.

In the commission's Plan for the Future, is the continuance of approving SALT projects if the sales tax is renewed. Currently the commission has approved a total of 78 Agricultural Nonpoint Source (AgNPS) SALT projects, but a call was not offered this year as all the expected tax money for the current tax had been allocated towards active SALT projects.

He listed a few items implemented since the initial pilots. They included funding limited to \$750,000 per project, limited project length from five to seven years, a new application was developed for the district, a limit to personnel expenses, and began inviting districts in for the final proposal review, and defined a list of eligible practices for districts to offer.

He stated, that based on experience through the SALT projects, the program has continued to be enhanced, and staff is revising the handbook to clarify policies further. He informed the commission that it might wish to survey the districts to see what additional ideas the districts might not have included in the research conducted for the Plan for the Future. The survey might also provide the commission with comments on the selection process for approved projects. If the survey is approved, the commission might wish to receive the responses prior to issuing the next call for projects in July, which would allow the commission time to evaluate the responses. Unless directed otherwise, the next call would be July 2006 and the staff would wait on issuing the districts a planning grant until the result of the vote on the sales tax is known. It was noted that according to the Plan for the Future the

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 15

number of projects each year would be increased pending a favorable budget.

Kathryn Braden made a motion to direct staff to send a survey to the districts evaluating the SALT Program. Richard Fordyce seconded the motion.

Ms. Braden stated that some districts were nearing the end of some of their SALT projects and finding out that the planning in the beginning was not that good. Now they have a better idea of what would work in their applications. Mike Wells stated he would like to make sure that NRCS and other partners were involved. Sarah Fast stated that the partners were not included in this survey. Therefore, staff would have to go back and work some of the questions on the survey. Mr. Struempf reported that the review committee, which includes NRCS and other agencies, had been surveyed. He mentioned that these results could be brought back to the commission with the district survey results.

When asked by the chair, Kathryn Braden, Richard Fordyce, Leon Kreisler, Baughn Merideth, and Elizabeth Brown voted in favor of the motion and the motion carried unanimously.

2. Review of Ineligible Cost-Share Items for a DSP-3

Davin Althoff presented a review of a DSP-3 Planned Grazing System established on a farm within Greene SWCD's Middle Little Sac AgNPS SALT Project located in Polk County. It was noted that Greene County is the administering district for the Middle Little Sac SALT Project.

Mr. Althoff stated the DSP-3 Planned Grazing system was funded using Middle Little Sac AgNPS SALT funds and was constructed in FY03. During a visit to the farm, it was noticed that the landowner received cost-share for smooth electric offset wire attached to the boundary fence and stand-alone single-strand smooth electric wire along a driveway that appears to serve as a right-of-way for the landowner between the homestead and the county road. He pointed out that offset wire is defined as electric wire attached to the side of an existing fence using insulating devices. Current commission policy for the DSP-3 Planned

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 16

Grazing System does not authorize cost-share for boundary or right-of-way fence. Commission policy authorizes cost-share for interior fencing costs, excluding boundary or right-of-way, which may include posts, wire, insulators, fasteners, and gates.

During the review, staff observed a considerable amount of offset smooth electric wire on some boundary fence along with stand-alone single-strand smooth electric wire along a driveway that appears to serve as a right-of-way for the landowner between the homestead and the county road. The landowner received cost-share on approximately 4,590 feet of offset wire attached to boundary fence, which equals approximately \$109.24. In some cases, offset wire may be placed on boundary fence for a short, designated distance to provide electricity to the grazing system and program staff deemed this appropriate. In this particular system, it was noted that electricity could be provided to the system by means of the cross-fence. Therefore, the offset wire on the boundary fence could be considered over the minimum and necessary for cost-share fence. In contacting NRCS, program staff found that NRCS supports offset wire around the entire boundary of a farm as long as the existing boundary fence was suitable to protect livestock. According to information provided to the commission, the landowner received cost-share for approximately 3,590 feet of electric fence along the driveway that appeared to serve as the right-of-way between the homestead and the county road. The cost for this was approximately \$466.70. In an aerial view, it appeared to indicate that some of the cross fencing on the farm was there prior to receiving cost-share through the DSP-3. This would indicate that cost-share received for the cross fencing may have simply replaced some existing cross fencing. Program staff would like to know what the commission's intention is for replacement of fence. It was reiterated that this practice is a demonstration practice, and replacing existing cross-fence would not provide a demonstration. Mr. Althoff stated that program staff cannot verify if a grazing system abides by certain policies for the DSP-3 Planned Grazing System by simply reviewing the cost-share claim. He stated the commission might wish to require a field map highlighting each cost-share component and its placement with all future DSP-3 Planned Grazing System claims.

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 17

When asked when the payment was made, Mr. Althoff answered that the claim was from FY03. When asked why it was just now being brought up, Mr. Althoff answered that they had gone out and done a SALT project review. This means they go out and look at certain practices and some of the practices were completed a year or two before. Ms. Brown stated that it was her understanding that payment was made on a fence that was already built prior to the project. Mr. Althoff stated that according to the 2000 CARES map it appeared to be line definition on the map. Ms. Fast stated that this was not absolute, it just appeared that way. When asked if an NRCS person had signed off on it and the claim was sent in, Mr. Althoff answered that it was approved. Ms. Fast stated that NRCS was trying to do the practice as the commission wished but there was not specific guidance on some issues and that is part of the issue. You have competent technical people but there are 114 counties and sometimes the commission receives issues. Policy clarification would help districts interpret the policy similarly across the state.

Will Rhodes from the Green County SWCD provided the commission with a map of the watershed, pictures of the grazing system, and letters from seven districts supporting the use of offset wire in grazing systems. He stated that the system was designed by NRCS in 2002. He also said there was a cattle guard at the end of the land that prevented the livestock from leaving the property. He pointed out a sinkhole that had been fenced off with the fencing going along the lane. Mr. Rhodes stated that it was the approach of the NRCS planners that fencing along the lane be utilized for animal movement. They used the offset wire to facilitate the grazing system by allowing cross fencing with poly wire. He stated that Mark Green from NRCS was involved in some of the early planning with the DSP-3 program. Mr. Green stated that during the development of the DSP-3 this issue surfaced and he and several others discussed the issue during the development of the DSP-3. At that time the committee recommended that it be an eligible practice. He stated that, as of last year, offset wire was on the cost list for all programs as an individual component. The reason it was removed was because the component list was so huge and it was combined with the additional electric wire component. He stated that the offset wire was 12.5 gauge electric wire on offset brackets hooked to an existing fence. He stated that in the NRCS

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 18

technical guide, offset brackets made of galvanized high-tension spring wire with insulator of high density poly ethylene can be attached to standard barbwire or woven wire to provide transmission line and or to protect a standard fence. He stated that Missouri fence law states that Missouri fence law and boundary fence must be four-strand barbwire or four boards at least four feet high. So an offset wire would not meet Missouri law on boundary fence. Will Rhodes stated that this was not the fault of the landowner so he should not be made to pay the money back. If it was anything, it was an error in the planning. Roger Hansen stated that it is the intent of their employees to follow commission policy, and NRCS standards and specifications. He stated that there are some things needed technically that might or might not be cost-shared on by the state cost-share program. NRCS needed to know exactly how the commission wanted them to interpret some of the issues so that they could give the right guidance to their employees and the district. The wire issue is critical for grazing systems. He stated that, if there was confusion on items, let NRCS know so that they can work on it to give proper guidance. Mr. Hansen said that spot checks indicate how the programs are being implemented. He did not think that by looking at a CARES map you could make definitive statements. He indicated he had concerns in regard to NRCS providing maps for every DSP. He stated that they do not send the entire terrace designs, or animal waste storage designs. He stated that there is a certain amount of trust and confidence, that when a NRCS person signs off on it, they have done it right. Now if something is found that does not look right, does not look good, does not make sense, or the numbers don't add up let them know and they will deal with it. He was not sure adding more paper to the file would solve the problem. Sarah Fast stated that this issue might be something that the commission would want to talk about because there was no immediate need to take action except on the repayment issue. Leon Kreisler stated that he felt that they should allow high tensile wire along existing exterior fences and lanes when livestock can not leave the premises. It provides more flexibility and he felt it would be a mistake to remove that.

Leon Kreisler made a motion to allow high tensile offset wire along existing exterior fences and allow cost-share for right of way

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 19

fence when livestock was prevented from leaving the premises. Kathryn Braden seconded the motion.

Elizabeth Brown asked if clarification was needed. Ms. Braden stated that this was a grazing system and you have to have divisions in it to make it a rotational system, and in this case the lane needed to be fenced off for movement of the cattle. Ms. Brown asked if this was part of the motion. Ms. Fast stated she understood the motion to make sure that its clear that offset for boundary fencing is included and the right of way fencing is included as long as technically needed for the system to operate. She asked Ms. Braden if this was what she was saying and Ms. Braden answered yes. Ms. Fast stated she meant the cattle guard and she did not want to change the motion. When asked if it was clear to the commissioners, the answer was no. Ms. Brown asked if Richard Fordyce wanted clarification. Mr. Fordyce stated that he thought the motion was that now offset wire could be added to a boundary fence and that would be covered by cost-share and the purpose for that was to power cross fences. Ms. Braden answered yes or grazing incremental portions, because you have to have one on both sides. Mr. Fordyce felt that the commission was also saying that now cost-share was available for right of way fences. Ms. Braden answered as long as the cattle are prevented from leaving the property in some other manner. Ms. Brown asked if more time was needed to get a well-laid out motion. Mr. Kreisler stated that this was not changing what has been done, it just put policy in place where there was not any policy before. They had been doing it but there was no policy.

Bob Howe, the planner for the system in question, stated that the west side of the farm in question was used for hay so there was no need for an offset hot wire along the western bounty fence. He proceeded to give the commission the history of the place. Mr. Howe stated the previous owner of this farm had removed all interior fences because he was raising horses. The new landowner wanted to install fencing for a rotational grazing system. Mr. Hansen stated that regardless of when discussing what would be cost-shared on, in the end the field staff has to develop a grazing system that meets NRCS specifications. Just because you allow cost-share on a certain component does not mean that they will put it on every farm. If it is technically needed to install the grazing

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 20

system the discretion should be left up to the technical staff doing the job at the local level. Mr. Kreisler stated that what might be confusing was that there were two things before them. He indicated that he was not talking about this particular case, just the practice in general. Mr. Fordyce asked if there was a portion that was not currently a cost-share item. Mr. Althoff answered the wire that fenced off the right away and part of the homestead was the concern brought to the commission. He stated that if the offset wire was providing electricity to the cross fence they would not feel that it was wrong. But when they reviewed this on the field map the offset wire did not appear to look like it was providing electricity to the system because of the location of the homestead. So they were requesting clarification on what the commission felt was appropriate as far as offset on boundary wire. He also stated that in regard to the issue of the existing fence which appeared to be on the 2000 map they sought clarification from the commission to see if they wished in future instances to replace existing cross fencing when fencing was already there. Mr. Hansen stated that in this instance the fence was taken up by the previous landowner so even if it looked like a line on the map there was no fence, so to him it was a non-issue. He stated you have to rely on the technical staff that made the decision. He did not think that every cost-share claim would have enough information that they could specifically say to that detail that component is there and he felt it would raise a lot of false issues. Ms. Fast stated that this was a very good policy discussion because they have struggled with issues in the past on how to work technical issues related to cost-share. Ms. Brown stated that she felt they needed to hear the motion again.

Leon Kreisler moved that the commission continue the practice of allowing offset electric fencing on existing fences and lanes as long as it did not prevent the cattle from leaving the property. Kathryn Braden seconded the motion.

Mr. Fordyce asked if they were already cost-sharing on offset fences. Ms. Braden answered yes, because this one was done three years ago. He asked why they needed a motion then. Ms. Fast answered that it would then be completely clear to any district technician or staff that this was the policy. Ms. Brown stated they would trust NRCS to do it only when necessary.

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 21

When asked by the chair, Kathryn Braden, Leon Kreisler, Baughn Merideth, and Elizabeth Brown voted in favor of the motion and the motion passed.

Ms. Fast stated that given the motion she assumed that the issue of repayment was dropped.

2. District Assistance Section

a. Matching Grant Mid Year Review

Jim Plassmeyer presented a mid-year review of the fiscal year (FY)2006 Matching Grant Program. The intent of the Matching Grant Program is to provide an incentive for districts to develop local sources of funding for a 1:1 matching grant while stimulating new and/or continued local funding for programs and activities.

Each district starts the FY with \$5,000 available to them for a 1:1 matching grant for which they need to submit proposals indicating how they wish to spend the money. After a proposal is approved, the district can purchase items submitted on the proposal and submit a claim against the matching grant. When the expense is claimed, the commission will match the expense, dollar for dollar up to the maximum of \$5,000. Districts have until the end of the fiscal year to make purchases that are on the matching grant proposal.

Matching grant proposals must be submitted by the end of January detailing how they are going to use the \$5,000 1:1 matching grant. In the past, the commission has released any unused funds and over-obligated funds to the districts on a first-come, first-served basis, after January 31.

For FY06, \$570,000 was allocated to the Matching Grant Program of which the districts have obligated \$453,087. Matching grants are obligated in the following amounts: district operations and info/ed \$116,856; office equipment \$7,273, field equipment \$39,537; machinery \$12,000, management personnel \$117,810, technical personnel \$151,894; and info/ed personnel \$7,716. Of the \$570,000, there is still \$116,912 that has not been obligated by the districts.

In the years of 1993 through 1996 the commission did not over-obligate and the amount spent each year was in the middle or low 70 percent range. For the last nine years, the commission has over-obligated and the

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 22

percentage claimed ranged from 81 percent in FY98 to 98 percent in FY02. In FY05, the commission decided to over-obligate the program and they accepted proposals totaling \$658,892, which was \$88,892 more than what was available. Due to the additional proposed amount \$529,649 was claimed from the original budget of \$570,000.

In October the commission decided to move the remaining \$42,091 left in the information/education grant to the matching grant fund and make that available as part of the additional matching grant funds.

As of February 15, 2006, 32 districts had submitted additional matching grant proposals of approximately \$151,554. The proposals already received include \$111,046 for personnel, \$19,757 for info/ed and office operation; \$12,250 for machinery and field equipment; and \$6,000 for office equipment.

Mr. Plassmeyer stated that in the past, the reallocated funds have been allocated to the districts on a first come, first served basis until all the additional funds were obligated. He reminded the commission that last year Commissioner Kreisler asked if the process should be changed to allow the district to send in proposals first and then split the money between all the proposals received. Last year there were only four districts that did not have approved proposals because of no funds available. The concern that staff had on changing the process was the length of time it would take start a new process. He stated that the districts would need at least a month in order for the supervisors to have a meeting to discuss whether they would want to apply for the additional funds. Some of the proposals already received were for expenses for annual meetings, which occur in March. The matching grant policy states that the proposal must be approved before the expense occurs so the districts with March annual meetings would not have time to use their matching grant funds for their meetings.

Elizabeth Brown said she did not like to make too many changes because some of the districts think the commission does that too often. She asked whether the process had worked well in the past and Mr. Plassmeyer answered yes. When asked if Leon Kreisler still felt the same, he answered that as far as giving the grants on a first come, first served basis, he felt that at times districts were more attuned to what was going on and would get their applications in quicker. Mr. Plassmeyer stated he agreed. Mr. Kreisler stated that there should be a time limit, but he had a problem

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 23

with the process. Ms. Brown stated that the districts are familiar with the current process.

Richard Fordyce made a motion to release the \$159,003 from the matching grant funds and the information/education grant plus over obligate an additional \$86,000 for a total of \$245,003 to the districts on a first come first served basis until all funds are allocated and limit each district to an additional \$5,000 1:1 matching grant. When polled, Kathryn Braden, Richard Fordyce, Leon Kreisler, Baughn Merideth, and Elizabeth Brown voted in favor of the motion and the motion carried unanimously.

H. REQUESTS

1. Land Assistance Section

a. Cost-Share

1. Jackson Soil and Water Conservation District (SWCD) – Request for Reconstruction for Cost-Share Practices Already Completed/Approved

Joyce Luebbering presented a request from the Jackson Board of Supervisors to provide cost-share assistance for the reconstruction of a waterway and a terrace system damaged as a result of excessive rainfall.

Commission policy states, that districts and landowners have a responsibility to protect the investment already made for practices installed to correct excessive erosion, and in order to ensure the investment, the commission may authorize cost-share assistance on practices that failed through no fault of the landowner.

Reconstruction cost-share is only eligible on practices that failed during the maintenance life of the practice. To be eligible, districts can request reconstruction cost-share if a single storm event causes widespread failure of structural practices with state cost-share within a county. The reconstruction must meet NRCS standards and specifications and the life span of the practice is extended to ten years after completion of the reconstruction.

The Jackson SWCD board approved Mr. Struwe's waterway on May 17, 2005, and also Ms. DeNoon's terrace system on May 12, 2005. The letter stated that six to seven inches of rain fell on a portion of Jackson County on June 5, 2005. The rainfall track was

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 24

approximately two miles wide. The board said that while some landowners had made repairs, two were requesting assistance. The Jackson County board inquired about assistance from the county FSA to repair the damage. A letter dated August 25, 2006, from the FSA office to the board of supervisors stated the FSA County Committee decided not to request the emergency conservation program for Jackson County as the damage was not county wide and their rules dictated that there was a \$1,000 minimum per farm. Due to this, the board was requesting \$338.52 for Mr. Struwe's waterway and \$753.73 for 3,760 feet of Ms. DeNoon's terrace system.

Ms. Luebbering stated that the commission has heard similar requests, five were approved and five were denied.

Linda Struwe from Jackson SWCD informed the commission that she understood NRCS required that terraces be built to withstand five inches of rain in a 24 hour period and what they had was almost seven inches of rain in parts of their county in 6 to 12 hours. The damage from the storm was to a newly constructed terrace and waterway system. When asked, Ms. Struwe said she did not think there would be any other claims from this storm.

Richard Fordyce made a motion to approve the board's request. Leon Kreisler seconded the motion. When asked by the chair, Kathryn Braden, Richard Fordyce, Leon Kreisler, Baughn Merideth, and Elizabeth Brown voted in favor of the motion and the motion carried unanimously.

b. Special Area Land Treatment (SALT)

1. Chariton SWCD – Request to Allow Chariton to Delay Revising Their Goals in the Second Phase of Management Strategy Process

Gina Luebbering presented a request from the Chariton County SWCD for a variance under the Management Strategy process policy as to when goals may be revised.

Ms. Luebbering informed the commission that on January 10, 2005, she attended the Chariton SWCD board meeting to discuss the concerns the program office had with the minimal progress

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 25

completed. This minimal progress was noticed after a completed project review on December 13, 2005. The board was notified that it appeared they would enter into Management Strategy and assistance was offered.

On January 11, 2006, the program office received the Semi-Annual Progress report for the Mussel Fork AgNPS SALT Project indicating the district had completed 2.57 percent of their goals which was less than the five percent required. Because of this, the Mussel Fork AgNPS SALT Project was placed in Management Strategy.

In the letter dated January 23, 2006, the board states that they realize and understand they were being placed into Management Strategy and they would like to be given the opportunity to meet the next reporting period, January to June FY06, expected progress. If at that time they are still not above the commission's expected minimum progress, they would like to be able to revise their goals. In the letter, the district stated that employee turnover was cause of the lack of progress. The district also stated that as a result of an informational meeting, held December 2005, there were several landowners that had expressed interest in practices. As a result of the meeting, six structures have been approved, one is pending approval, and eight structures are staked out, 1,500 feet of tile terraces are laid out and approved. Two more landowners are interested in terraces, 800 feet of waterway terraces are laid out and approved, one diversion is pending and two are needing to be laid out, one grazing system has been approved with five more landowners who have signed up for that practice. There are also five landowners with approximately 760 acres who are interested in nutrient management, one interested in filter strips, and two more interested in use exclusion.

Based on the response from the landowners, Chariton County SWCD felt that they could possibly meet their goals without needing to revise them at this time. Therefore, they were asking for a one time variance, to revise their goals at the end of June 2006 if they are unable to meet the desired eight percent minimum.

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 26

Carrie Henry from Chariton SWCD stated that they would like to have a one time variance for revision of their goals. After their SALT meeting in December, they have received a lot of landowner interest in the program. She reiterated the fact that they had had a lot of employee turnover. She indicated that the district had solved part of that issue. The board felt that if everything was completed by the end of June, they would be at 11.9 percent, which is above the eight percent required. They would like the opportunity to keep their goals as they feel they are attainable. Bob Cooper, a board member, stated that the issue of employee turnover started before the project was started. He reiterated that there had been a lot of sign ups for the project. Wayne Crook, a board member, stated due to the timing and the amount of employee turnover, there was not time to carry through with the project. Now with personnel, experience, and exposure, he felt that it could be done.

Richard Fordyce made a motion to approve the district's request and allow a one-time variance. This will allow them to revise their goals after the next reporting period if they fail to meet the desired minimum progress at that time. Kathryn Braden seconded the motion. When asked by the chair, Kathryn Braden, Richard Fordyce, Leon Kreisler, Baughn Merideth, and Elizabeth Brown voted in favor of the motion and the motion carried unanimously.

I. REPORTS

1. NATURAL RESOURCES CONSERVATION SERVICE (NRCS)

Roger Hansen stated that most of the sign ups for the federal cost-share programs under the 2002 Farm Bill were held in October, November, and December and the allocations had been decided. In Environmental Quality Incentive Program (EQIP) there was an increase in the demand for the funds. Last year there were 3,000 applications requesting \$29,000,000 and this year there are 5,000 applications requesting a total of \$54,000,000. The amount that he has been allocated was \$18,500,000 for EQIP. The initial allocations have been made to the counties. He stated that the counties had a challenge to have a \$150,000 sign up per county. He stated that over 100 counties have the \$150,000 in sign ups. He informed the commission that last year they had \$5,000,000 of animal waste requests compared to \$10,000,000 for this year. Of the \$10,000,000 for animal waste request, \$7,500,000 was allocated. Many of these landowners are faced with new regulations, environmental protection requirements, and certain Concentrated Animal Feeding Operations (CAFO) deadlines. He reserved 10

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 27

percent of their funds for limited resource farmers. So between animal wastes and limited resource farmers \$9,500,000 was used. The remaining EQIP funds, approximately \$9,000,000, were allocated to the 114 districts. The amount allocated was \$82,000 per county. He stated he hoped to get more money from the national office later in the year.

2. MASWCD

Steve Oetting stated that at the end of January and the first of February, Peggy Lemons, Fred Feldmann, and himself represented Missouri at the National Association of Conservation Districts (NACD) Annual meeting in Houston, Texas. NACD has changed their focus as to financing and are in a much better position to represent producers in agriculture than they were several years ago. During the elections, Bill Wilson from Oklahoma has another year as President, Olen Simms from Wyoming was put in the President Elect position, and Steve Robinson from Ohio is now the second Vice President.

On March 13, 2006, the association will hold its board meeting, on March 14, 2006, they plan to attend the commission meeting, and on March 15, 2006, the association will have a legislative seminar.

He stated that since the training conference he has been questioned on using cost-share on land enrolled in CSP. He stated that Ron Redden was reviewing that issue from the state side. He stated he felt that if a decision was reached, based on NRCS, and what the state can do, some problems could be solved.

J. FOLLOW-UP (Continued)

1. Cape Girardeau SWCD – Review of Comprehensive Cropland Water Quality Management Practice for Hubble Creek SALT Project

Ken Struempf presented follow up on the review of the Comprehensive Cropland Water Quality Management Practice (CCWQMP) for the Hubble Creek SALT Project.

In January the commission passed a motion to set up a committee to evaluate the proposed CCWQMP practice and draft some policies for the commission to consider. On February 7, 2006, Mr. Struempf and Commissioner Merideth went to Cape Girardeau and saw a field that had the subsurface drainage practice installed with a water table management structure in place. He noted that this system was not cost-shared on, but was paid for by the landowner.

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 28

Mr. Struempf proceeded to provide the commission with background information. Agricultural drainage is the removal of excess water from the soil surface and/or soil profile of cropland by either gravity or artificial means. Once this is completed, water quality impacts can be documented. Where land is used for agricultural production, improved drainage has been found to reduce runoff, peak outflow rates, and sediment losses, compared to undrained agricultural land. Through the use of the water table management structures, nitrogen losses are minimized and less water is allowed to leave the drainage system, reducing nitrogen loss. He stated that drainage water management could have a significant impact on the transport of nitrogen, phosphorous, and sediment to surface waters and on crop production by lowering the water table drainage outlets. A lower water table also reduces the frequency and magnitude of surface runoff; thereby reducing the erosion potential, and increasing the amount of water passing through the soil. Nitrates and soluble phosphorous move with the drainage water and are transported to the sediment transport, and the transport of sediment-absorbed phosphorus. The aerobic conditions created in drained soils decrease the occurrence of denitrification.

Mr. Struempf also stated that raising the water table decreases the amount of water passing through the soil and the transport of nitrates and soluble phosphorous from the field. Raising the water table during the non-growing season can result in a 30 percent reduction in the discharge of nitrates, but there have been reductions of 50 percent or greater. By raising the water table you can also increase the amount of surface runoff, which causes increased erosion, sediment transport, and transport of sediment-absorbed phosphorous. He stated that erosion and sediment transport could be controlled with residue management, buffers, grassed waterways, and other conservation practices.

Lowering the water table improved field trafficability and timeliness of crop management operations such as field preparation, planting, and harvesting, and can extend the growing season by allowing earlier access to the field. With a low water table, ponding is less likely to occur or to be sustained when it does occur. Also a lower water table results in aerobic soil conditions and an increased depth of the root zone. Partially raising the water table after crops are established can conserve soil moisture and might enable a crop to be more productive in the years where there is an extended dry period during the growing season. A high water table in the winter months will decrease the transport of nitrates and soluble phosphorus to surface waters. He stated the water table should be lowered in the spring, early enough for the field to be accessible for seedbed preparation, planting, and other field operations. Lowering the water table two weeks before field operations begin in the spring is generally sufficient.

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 29

It was noted that in addition to drainage water management, that soil, crop, and nutrient management should be a part of a plan to improve water quality in agricultural areas.

Mr. Struempf stated that subsurface drainage is designed to remove excess water from the soil profile and the water table level is controlled through a series of drainage pipes (tile or tubing) that are installed below the soil surface, usually just below the root zone. Subsurface drainage pipes are usually installed at a depth of 30 to 40 inches, and spaced 20 to 80 feet depending on soil type, and how deep the impermeable layer is from the surface. The subsurface drainage network generally outlets to an open ditch or stream. It was noted that for the same amount of treated acreage, subsurface drainage improvements were generally more expensive than surface drainage improvements.

A restriction for these systems is that the acres can not be considered a wetland under the 1985 farm bill. Several factors which make drainage a necessity for agricultural production on some lands are slow soil permeability, flat or depression topography, restrictive geologic layers underlying the soil profile, and periods of excess precipitation. This practice is only applicable to certain types of soils and is not for every producer in the state.

Mr. Struempf reminded the commission that they wanted to compare the Soil and Water Conservation Programs to other incentive programs. Next Mr. Struempf went over a chart of proposed practice policies of the different cost-share eligibility components. He stated that much of the cost difference was that EQIP would not cost-share on the installation of the tile or grading of the land.

At the last commission meeting the commission wanted to know the average costs of tile terraces. Upon reviewing the evaluation information for 2005, the average cost-share earned for tile terraces was \$380 per acre and the average actual cost for an acre of terraces was \$571.00, which equates too roughly 67 percent cost-share. On the average, an acre of terraces saves approximately 50 tons of soil.

When asked if increased yields and timely field operation could be considered a production practice, Mr. Struempf answered that it could be, but there was information on the use of water table management to reduce the amount of nitrates that leave the field. He thought that a lot of the conservation practices are considered to help the farmer to be more profitable and there is also an environmental benefit to doing the practices.

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 30

Stan Murray the SALT coordinator for Cape Girardeau SWCD stated that Mr. Struempf had done a good job of outlining what they wanted to do. He stated that they had nine landowners interested. When asked if a maximum number of acres per landowner were needed, Mr. Murray answered that there was no single landowner that would monopolize the practice. When asked if this was considered a demonstration practice, Mr. Murray answered yes. Mr. Oetting asked whether there would be a way to measure how much phosphate and nitrogen was leaving before and after the implementation of the practice. Mr. Murray answered that he hoped there would be some type of research to do that. When asked about the increased yield from implementation of the practice, Gerald Bryan answered the landowner was able to get into the field and plant in a more timely manner. He also was utilizing the nutrients for his crops, where before they might flow off the land. He stated that another benefit was the change in tillage methods. When asked if the soil was consistent enough to place the tiles on a 40-foot center, as a standard, Mr. Murray answered that the fields they had done were on 30-foot centers, but the 40 was used to figure a budget. He also indicated that some costs might be higher or lower than indicated because they did not have the cost components to utilize. When asked about the average cost per acre for a tile outlet terrace, Mr. Struempf answered that the \$380 was the average cost-share amount paid in 2005.

Kathryn Braden made a motion to approve the practice as a pilot project for the Hubble Creek Area. Baughn Merideth seconded the motion.

Ms. Brown stated that she would be more comfortable with it if there was someone already lined up to measure the water quality. Mr. Murray stated they had talked to Kelly Nelson at the Novelty Station about doing something up there. They have also talked to Southeast Missouri State University and Joe Engler at the Delta Center in setting up something. Dave Baker stated that he would work with Gerald Bryan and the team to find someone within the university system to do it, because it was important to get quantified information.

When asked by the chair, Kathryn Braden, Richard Fordyce, Leon Kreisler, Baughn Merideth, and Elizabeth Brown voted in favor of the motion and the motion carried unanimously.

K. REPORTS (Continued)

1. Department of Conservation

Dave Baker stated that Conservation was doing a Conservation Contractor Training session. Missouri Department of Conservation and Missouri

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 31

Agricultural Industries Council will jointly sponsor it, primarily for contractors that will be doing practices on the land related to conservation. The two practices are open land and grassland management and non-woody vegetation establishment. They will be all day sessions at eight locations throughout the state.

2. University of Missouri

Dave Baker stated that as of March 1, 2006, the cost for soil tests would increase by \$2.50. The main reason for the increase is that the soil testing lab, receives no GO funding and is self funded operation and to meet increase operating costs the fee had to be raised. This is the first fee increase in 12 years. The variance around the state will be set at the local office for handling. He also stated that University of Missouri Extension has a new interim director; Dr. Henderson stepped down at the end of November. Dr. Jo Turner is now the interim.

Mr. Baker reminded the commission that they were in the processes of doing a new five-year plan of work. Two issues that came out of that were watershed water quality and management intensive grazing. Now the university is in the process of going back to the counties and initiating those plans. He also stated that in FY07 their federal funding challenges related to 406 line of the CSREES budget, which is the funding line for water quality competitive grants, was zeroed out in the president's budget again this year. This is the funding line for the extension water quality work in the state.

3. Department of Agriculture

Dan Engmann stated that the annual meetings would start in March, but Scott County already had theirs and the speaker was Director Ferrell. He reported that it was a good meeting.

4. Staff

Sarah Fast stated that the next meeting was scheduled for March 14, 2006, but neither Elizabeth Brown nor Leon Kreisler would be able to attend. She asked if the commission wanted to keep the March 14th date or change it. Kathryn Braden stated that the March 14th was scheduled in conjunction with the MASWCD meeting and Ms. Fast agreed. Due to no objections, the March 14th date was set. She stated that for the June meeting the program was looking at a tour as part of the meeting. Ms. Braden stated that she had an issue with the June date. Ms. Fast said that staff would look at other dates in June and asked if the commission

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 32

would be interested in a tour with their meeting and if so, where. Ms. Brown stated that the commission never made it to the ethanol plant. Richard Fordyce informed the commission that there was an ethanol plant in northwest Missouri. When asked what town it was in, Mr. Fordyce answered Craig, which is north of St. Joseph. Ms. Fast asked the commission to consider this and let her know of any ideas.

Ken Struempf stated that the Pettis SWCD board requested a commissioner attend their March 14, 2006, board meeting in regard to the decision made on the Kurt Ewing claim for his stackhouse. In speaking with the district, the district indicated that the board had been upset since March 2004, when there were two issues before the commission. One of the issues was a waterway. The district board cancelled the application, and after hearing from the landowner, the commission granted a 30-day extension. The second issue was a tile terrace system that was not completed. The district board did not grant the landowner an extension, but the commission overturned the decision and granted the extension. Mr. Struempf stated that when the stackhouse issue was brought to the commission, the board did not take a position. The commission made the decision to allow the landowner to store hay and equipment in the stackhouse because the restricted use of the stackhouse was not in writing. Mr. Struempf stated that staff would be happy to attend the meeting, but the board indicated they would prefer a commissioner be in attendance. Ms. Brown indicated that the board should come to the commission meeting and present their grievances however, it was fine if a commissioner wished to attend. Mr. Struempf said staff would write a letter indicating the commission's wish. Ms. Brown felt that one person could not speak for the entire body and the board should attend a commission meeting. Mr. Struempf stated that staff would send the letter indicating time would be reserved at a future meeting. Mr. Struempf informed the commission that there were tapes from the 2004 meeting that would be made available to the commissioners. Ms. Braden said she would like to have a copy.

Mike Wells stated that February 14, 2006, was the house mark up on the DNR budget. It covered the Soil and Water Conservation Program and no changes were made to the Governor's recommendation. He also stated that he would be involved in the Drought Assessment Committee meeting, which was reconvened due to the drought last summer and because of possible problems this spring.

MINUTES--MISSOURI SOIL & WATER DISTRICTS COMMISSION

February 15, 2006

Page 33

L. DATE OF NEXT MEETINGS

The date of the next commission meeting was set for Tuesday, March 14, 2006, beginning at 10:00 am at McClung Park in Jefferson City, Missouri. The May meeting is tentatively scheduled for Tuesday, May 23, 2006, in Jefferson City, Missouri.

M. ADJOURNMENT

Richard Fordyce moved the meeting be adjourned. Baughn Merideth seconded the motion. Motion approved by consensus at 2:04 pm.

Respectfully submitted,

Sarah E. Fast, Director
Soil and Water Conservation Program

Approved by:

Elizabeth Brown, Chairman
Missouri Soil & Water Districts Commission

/tm